



CDSS

JOHN A. WAGNER
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY

DEPARTMENT OF SOCIAL SERVICES

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ARNOLD SCHWARZENEGGER
GOVERNOR

May 22, 2008

John Davis, Director
Tulare County Health & Human Services Agency
5957 South Mooney Blvd
Visalia, CA 93277

Dear Mr. Davis:

I want to take this opportunity to thank you and your staff for the cooperation and assistance provided the reviewer from our office during the course of the Civil Rights Compliance Review of Tulare County Health & Human Services Agency. A special thanks to Ms. Elisa Rivas, Civil Rights Coordinator for her assistance in completing the review. Enclosed is the final report on the review.

I understand at the exit meeting held on March 6, 2008, Daniel Cervantes reiterated the requirements for the documentation of interpretive services in Division 21 regulations. He shared All County Letter no. 06-20 and All County Information Notice No. 1-09-06 with you and your staff, which served as a reminder of the documentation requirements and interpretation of the regulations by the California Department of Social Services. With continued civil rights Division 21 training provided to public contact staff, we are confident the next review will provide substantial improvement in this area.

There were also some facility compliance issues discussed at the exit interview as well as identified in the report which will require the development of a corrective action plan. Please submit your plan within sixty days of this letter. Please address each deficiency and include steps and time lines for the completion of all corrective actions and recommendations listed in the attached report.

We will provide a copy of our report to any individual who makes a request since our report is a public document. If you would like us to include a copy of your corrective action plan when responding to these requests, please indicate this when submitting your plan.

John Davis, Director
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If you need technical assistance in the development of your plan, please feel free to contact the Civil Rights Bureau at (916) 654-2107 (voice) / (916) 654-2098 (TDD). You may also contact us by e-mail at crb@dss.ca.gov.

Sincerely,

A handwritten signature in cursive script that reads "Elisa Garcia for".

RAMÓN S. LOPEZ, Chief
Civil Rights Bureau
Human Rights and Community Services Division

Enclosure

c: Elisa Rivas, Civil Rights Coordinator

Steve Hemmerling, CDSS Food Stamps
Field Operations Bureau
Corrective Action/Management Evaluation Unit, M.S. 16-32

Mike Papin, CDSS Food Stamps
Food Stamps Policy Bureau/Policy Development Unit, M.S. 16-32

CIVIL RIGHTS COMPLIANCE REVIEW REPORT
FOR
COUNTY OF
Tulare
Conducted by
Daniel Cervantes

California Department of Social Services
Human Rights and Community Services Division
Civil Rights Bureau
744 P Street, M.S. 6-70
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Reviewer
Daniel Cervantes

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CIVIL RIGHTS COMPLIANCE REVIEW REPORT

I. INTRODUCTION

The purpose of this review by the California Department of Social Services (CDSS) Civil Rights Bureau (CRB) staff was to assess the Tulare County Health and Human Services Agency with regard to its compliance with CDSS Manual of Policies and Procedures (MPP) Division 21 Regulations, and other applicable state and federal civil rights laws.

An on-site compliance review was conducted on March 4-6, 2008. An exit interview was held with the staff listed below on March 6, 2008 at the Government Plaza Office to review the findings.

Elisa Rivas	Civil Rights Coordinator	Government Plaza
Jackie Whitney	Unit Manager – TulareWorks	Visalia Dist. Office
Angelina Stanfill	Unit Manager – TulareWorks	Dinuba Dist. Office
Silvia Nacianceno	Unit Manager – TulareWorks	Porterville Dist. Office
Ruben Rodriguez	Facilities	Government Plaza
Bob Browne	Unit Manager – TulareWorks	Hyde III
Lilia Sandoval	Unit Manager – TulareWorks	South Mooney
Christine Espino	Child Welfare Services	South Mooney
Courtney Wilson	District Manager – Admin	Government Plaza
David Crawford	Deputy Director	Government Plaza
Dyanne Fankhauser	Facilities	Government Plaza
Bill Wanmer	Facilities	Government Plaza
Kevin Marks	Administration	Government Plaza
Linda Alcorn	Unit Manager – TulareWorks	Lindsay Dist. Office
Ken McCoy	Unit Manager – APS	Hyde
Elissa Padilla	Unit Manager	Hyde III
John Davis	Director	Government Plaza

The review was conducted in the following locations:

Name of Facility	Address	Programs	Non-English languages spoken by a substantial number of clients (5% or more)
Visalia TulareWorks	100 E Center Visalia, CA	TulareWorks	Spanish
Porterville TulareWorks	1055 W Henderson Porterville, CA	TulareWorks	Spanish
Porterville CWS	1055 W Henderson Porterville, CA	Child Welfare Services	Spanish
CWS South Mooney	26500 S Mooney Blvd. Visalia, CA	Child Welfare Services	Spanish

II. SUMMARY OF METHODOLOGY

In preparing for this review, CDSS staff completed the following tasks:

- Reviewed the 2006 Annual Civil Rights Plan submitted by the County.
- Reviewed the civil rights discrimination complaint database for a complete listing of complaints filed against the County for the last year.

Headquarters and on-site review procedures included:

- Interviews of public contact staff
- Survey of program managers
- Case file reviews
- Facility inspections

Each site/program was reviewed for compliance in the following areas:

- Dissemination of Information
- Facility Accessibility for Individuals with Disabilities
- Bilingual Staffing/Services for Non-English-Speaking Clients
- Accessibility for Clients with Visual or Hearing Impairments
- Documentation of Client Case Records
- Staff Development and Training
- Discrimination Complaint Procedures

Here is a summary of the sources of information used for the review:

Interviews Conducted of Public Contact Staff

Classifications	Total	Bilingual
Eligibility Workers	5	2
Children Social Workers	4	1
Receptionist/Screeners	4	4
Total	13	7

All of the scheduled interviews were conducted. No additional interviews needed to be scheduled.

Program Manager Surveys

Number of surveys distributed	4
Number of surveys received	4

Reviewed Case Files

English speakers' case files reviewed	60
Non-English or limited-English speakers' case files reviewed	53
Languages of clients' cases	English, Spanish, Lao

Sections III through VIII of this report contain specific Division 21 civil rights requirements and present field review findings regarding the county's compliance with each requirement. The report format first summarizes each requirement, then the actual review team findings, including appropriate comparisons. This format is an effort to validate the application of policies and procedures contained in the annual plan. Required corrective actions are stated at the end of each section.

Section IX of the report is reserved for a declaration of overall compliance.

III. DISSEMINATION OF INFORMATION

Counties are required to disseminate information about program or program changes and about how applicants and recipients are protected by the CDSS regulations (Division 21). This dissemination should occur through outreach and information to all applicants, recipients, community organizations, and other interested persons, including non- and limited-English speakers and those with impaired hearing or vision or other disabling conditions.

A. Findings

Access to Services, Information and Outreach	Yes	No	Some-times	Comments
Does the county accommodate working clients by flexing their hours or allowing applications to be mailed in?	X			Every staff member interviewed both in person and over the phone admitted to be willing to travel to accommodate the client's need if necessary. Also, applications can be requested over the phone.
Does the county have extended hours to accommodate clients?	X			Many employees work four (4) days a week, ten (10) hours a day. This allows clients to come in after the normal business hours from 8AM – 5AM. The offices visited have extended hours, opening as early as 7:30AM and closing as late as 6:00PM. Also, employees also admitted to be willing to meet outside of their normal work hours if necessary.
Can applicants access services when they cannot go to the office?			X	Most of the time, I found that clients did have access to all of the services provided by the county. One employee admitted that it can be difficult for clients to receive services in Visalia that were NOT offered Porterville due to public transportation. But generally, clients did have access to services.

Does the county ensure the awareness of available services for individuals in remote areas?	X			Through poster, flyers, and outreach programs, the county send out the message to people all over the county. There are also out-stationed staff at various hospitals and clinics.
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Signage, posters, pamphlets	Yes	No	Some-times	Comments
Does the county use the CDSS pamphlet "Your Rights Under California Welfare Programs" (Pub 13)?	X			All of the staff interviewed had a good understanding of the PUB 13 and when it should be distributed.
Is the pamphlet distributed and explained to each client at intake and re-certification?			X	In most cases, the PUB 13 was known to be given out at both intake and recertification. In two instances, employees interviewed admitted NOT redistributing and explaining the PUB 13 at re-certification.
Was the current version of Pub 13 available in English, Spanish, Lao, Vietnamese, Chinese, Hmong, Russian, Korean, Farsi, Arabic, Laotian, Tagalog, Armenian and Cambodian?	X			Exceptional. In every office visited, the PUB 13 was found in all listed languages prominently displayed in the lobby. All PUB 13 pamphlets were fully stacked and easily accessible to the client.
Was the Pub 13 available in large print, audiocassette and Braille?	X			Exceptional. Every office visited was able to present large print, audio and Braille PUB 13 upon request without delay.
Were the current versions of the required posters present in the	X			All of the current versions of the posters

Signage, posters, pamphlets	Yes	No	Some-times	Comments
lobbies?				were prominently displayed in the lobby.
Did the workers know the location of the required posters with the Civil Rights Coordinator's name and address?	X			Yes. Many of the workers had the name of the civil rights coordinator and her information readily available at their desks. They were also aware that the civil rights coordinator's information was on display in the lobby for public view.
Were there instructional and directional signs posted in waiting areas and other places frequented by a substantial number of non-English-speaking clients translated into appropriate languages?			X	In most cases, the signage was not an issue. There were isolated instances in which some directional/informational signage (i.e. name of program, take a number) need to be translated into the county's threshold language (Spanish), but most of those issues were quickly solved the day of that facility's review.

B. Corrective Actions

Informational Element	Corrective Action Required
Directional signage	Tulare County shall ensure that instructional and directional signs are posted in waiting areas and other places frequented by clients and that where such areas are frequented by a substantial number of non-English-speaking clients, such signage shall be translated into appropriate languages.

C. Recommendation

The most recent version for each of the above referenced documents is:

Pub 13	"Your Rights under California Welfare Programs"	08/06
Pub 86	"Everyone is Different, but Equal Under the Law"	03/07
Form AD 475B	"And Justice for All"	12/99

Contact your program consultant to receive the most recent versions, or download the Pub 13 from the CRB website http://www.dss.cahwnet.gov/civilrights/YourRights_498.htm.

IV. FACILITY ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES

The Americans with Disabilities Act (ADA) requires public accommodations to provide goods and services to people with disabilities on an equal basis with the rest of the general public. The goal is to afford every individual the opportunity to benefit from the services available. The federal regulations require that architectural and communication barriers that are structural must be removed in public areas of existing facilities when their removal is readily achievable; in other words, easily accomplished and able to be carried out without much difficulty or expense.

The facility review is based on four priorities supported by the ADA regulations for planning achievable barrier removal projects. The priorities include ensuring accessible approach and entrance to the facility, access to goods and services, access to restrooms, and any other measures necessary.

Note that the references to the Americans with Disabilities Act Accessibility Guidelines (ADAAG) in the Corrective Action column refer to the federal Standards for Design. Title 24 of California Code and Regulations (T24 CCR) is also cited because there are instances when California state law is stricter than ADAAG specifications.

The county must ensure that programs and activities are readily accessible to individuals with disabilities. This includes building accessibility and availability of accessible parking as well as accessibility of public telephones and restrooms.

A. Findings and Corrective Actions

Regulations cited are from the Title 24, California Code of Regulations (T24 CCR) and ADAAG.

Facility Location: 100 E. Center, Visalia

Facility Element	Findings	Corrective Action
Parking	No UNAUTHORIZED PARKING sign at the Oak Street entrance.	Additional sign shall be posted in conspicuous place at entrances to off-street parking facilities, or adjacent to and visible from each space. Sign shall be 17" by 22" min. in size with lettering 1" min. high, stating: "Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or license plates issued for persons with disabilities may be towed away at owner's expense. Towed vehicles may be reclaimed at _____ or by telephoning _____." (CA T24 1129B.5) p. 133
	The words NO PARKING were not written in access aisle properly. The word NO was in the aisle, but parking was outside of aisle.	The words "NO PARKING" shall be painted on the ground in each 5' or 8' loading and unloading access aisle in white letters no smaller than 12". (CA T24 1129B.4.1 & 2) p. 135
Exterior entrance	Ok	
Outside signage	Ok	
Client lobby	Ok	
Telephone	Ok	
Water fountain	Ok	
Men's Restroom	No accessible signage on door.	Door sign and wall sign shall be 60" above the floor. The wall sign shall be installed on the wall adjacent to latch outside of door. If there is no space, including at double leaf

	<p>Urinal was 25 inches high. Also, there was insufficient floor space in front of urinal.</p> <p>No accessible stall.</p> <p>Toilet was too high at 22 inches.</p>	<p>doors, the sign shall be placed on nearest adjacent wall, preferably on the right. (CA T24 1117B.5.7, ADA 4.30.6) p. 263</p> <p>Rim: 17" high, max. above floor, 14" min. projection from wall.</p> <p>Where urinals are provided, at least one (1) shall provide 30" x 48" clear floor space in front of the urinal, to allow for a forward approach. The clear space may extend 6" max. under the urinal if the urinal has a 9" min. toe clearance from the floor to the urinal's bottom. (CA T24 1115B.9.4, ADA 4.18.3 & 4.22.5) p 265</p> <p>Clear space in front of water closet is minimum of 48" if the compartment has end opening (facing water closet) or minimum of 60" if compartment has side opening. (CA T24 1115B.7.1.3, ADA 4.17.3) p 285</p> <p>Height of water closet is 17" to 19" measured from the floor to the top of a maximum 2" high toilet seat. (CA T24 1115B.2.1, ADA 4.16.3) pp 293, 285</p>
Woman's Restroom	No accessible signage on door.	<p>Door sign and wall sign shall be 60" above the floor.</p> <p>The wall sign shall be installed on the wall adjacent to latch outside of door. If there is no space, including at double leaf doors, the sign shall be placed on nearest adjacent wall,</p>

	<p>No accessible stall.</p> <p>Toilet was too high at 22 inches.</p>	<p>preferably on the right. (CA T24 1117B.5.7, ADA 4.30.6) p. 263</p> <p>Clear space in front of water closet is minimum of 48" if the compartment has end opening (facing water closet) or minimum of 60" if compartment has side opening. (CA T24 1115B.7.1.3, ADA 4.17.3) p 285</p> <p>Height of water closet is 17" to 19" measured from the floor to the top of a maximum 2" high toilet seat. (CA T24 1115B.2.1, ADA 4.16.3) pp 293, 285</p>
Emergency egress	Audible alarm, but no visual	<p>Visual signal appliances shall be provided in buildings and facilities in the following areas: restrooms, corridors, multipurpose rooms, lobbies and community areas, meeting rooms and any other area for common use. Visual alarm signal appliances shall be integrated into building or facility alarm system. If emergency alarm systems are required, they shall activate a means of warning the hearing impaired. Emergency warning systems as part of the fire-alarm system shall be designed and installed in accordance with NFPA 72 as amended in CA T24 Chapter 35.</p> <p>(CA T24 1118B.5, ADA4.2.5, CA T241118B.6, ADA 4.2.6, CA T24 1114B.2.4, ADA 4.28.1 & .2, NFPA 72 4-3.1, .2 & .3)</p>

Recommendation

The restrooms in this building are out of compliance and need to be reassessed. Since the restrooms are rather small for a urinal, an accessible stall, and two (2) sinks, perhaps the whole restroom should be remodeled. A single person restroom with plenty of space for a disabled client would better fit the limited space.

Facility Location: 1055 W. Henderson, Porterville (TulareWorks)

Facility Element	Findings	Corrective Action
Parking	The parking lot of this location did not belong to the county. The lot is shared with neighboring businesses. The parking lot does provide an adequate number of ADA accessible parking spaces.	N/A
Exterior entrance	Ok	
Outside signage	Ok	
Client lobby	Ok	
Telephone	Ok	
Water fountain	Ok	
Men's Restroom	Ok	
Woman's Restroom	Ok	
Emergency egress	Ok	

Facility Location: 1055 W. Henderson, Porterville (Child Welfare Services)

Facility Element	Findings	Corrective Action
Parking	The parking lot of this location did not belong to the county. The lot is shared with neighboring businesses. The parking lot does provide an adequate number of ADA accessible parking spaces.	N/A
Exterior entrance	Ok	
Outside signage	Ok	
Client lobby	Ok	

Telephone	Ok	
Water fountain	Ok	
Men's Restroom	Ok	
Woman's Restroom	Ok	
Emergency egress	Ok	

Recommendation

The reception room is only accessible by clients through a windowless wooden door that opens into the reception area. If a client is outside the office attempting to get in and can NOT open the door, there is no way for the client to notify the receptionist of their presence. Also, if a client is outside the office attempting to enter and another client is inside standing in front of the door attempting to exit, there is no way to see the client inside exiting. That could possibly result in an injury to a client standing just outside the reception area.

Furthermore, some method for client to notify receptionist that client needs assistance with access should be implemented. A warning sign should be posted on the inside of the office with a caution to open door slowly as there may someone on the other side. A similar sign should be posted outside the office warning that door may open suddenly and to take care when approaching door or standing in front of it.

Facility Location: 26500 South Mooney, Visalia

Facility Element	Findings	Corrective Action
Parking	The words NO PARKING were not written in access aisle properly. The word NO was in the aisle, but parking was outside of aisle	The words "NO PARKING" shall be painted on the ground in each 5' or 8' loading and unloading access aisle in white letters no smaller than 12". (CA T24 1129B.4.1 & 2) p. 135
Exterior entrance	Ok	
Outside signage	Ok	
Client lobby	Ok	
Telephone	Ok	
Water fountain	Ok	
Men's Restroom	Ok	
Woman's Restroom	Ok	
Emergency egress	Ok	

V. PROVISION FOR SERVICES TO APPLICANTS AND RECIPIENTS WHO ARE NON-ENGLISH-SPEAKING OR WHO HAVE DISABILITIES

Counties are required by Division 21 to ensure that effective bilingual/interpretive services are provided to serve the needs of the non-English-speaking population and individuals with disabilities without undue delays. Counties are required to collect data on primary language and ethnic origin of applicants/recipients (identification of primary language must be done by the applicant/recipient).

Using this information, a county may determine 1) the number of public contact staff necessary to provide bilingual services, 2) the manner in which they can best provide interpreter services without bilingual staff and 3) the language needs of individual applicants/recipients. Counties must employ an appropriate number of certified bilingual public contact employees in each program and/or location that serves a substantial number of non-English-speaking persons. In offices where bilingual staff are not required because non-English-speaking persons do not represent a substantial number, counties must provide effective bilingual services through interpreter or other means.

Counties must also provide auxiliary aids and services, including Braille material, taped text, qualified interpreters, large print materials, telecommunication devices for the deaf (TDD's), and other effective aids and services for persons with impaired hearing, speech, vision or manual skills. In addition, they must ensure that written materials be available in individuals' primary languages when the forms and materials are provided by CDSS, and that information inserted in notices of action (NOA) be in the individuals' primary language.

A. Findings from Program Manager Surveys, Staff Interviews and Case File Reviews

Question	Yes	No	Some-times	Comments
Does the county identify a client's language need upon first contact? How?	X			The client is asked what their primary language is or the client completes the primary language form.
Does the county use a primary language form?	X			Yes. Primary language Form 113. Front page designates language preference; oral and written. Back page offers free interpretive services.
Does the client self-declare on this form?	X			Yes. There is space on both sides of Form 113 that requests client's signature and date.
Are non-English- or limited- English-speaking clients provided bilingual	X			Yes. A significant percentage of the staff at every office visited are bilingual. They also offer a

Question	Yes	No	Some-times	Comments
services?				language line and encourage the use of other bilingual staff available.
After it has been determined that the client is limited-English or non-English speaking, is there a county process for procuring an interpreter?	X			Yes. Spanish speaking clients are assigned to certified Spanish speaking bilingual workers. If another language is designated other than Spanish, and a certified worker of that language is available, that worker is called upon to provide services. If a certified interpreter cannot be attained, the use of the language line is available.
Is there a delay in providing services?		X		Typically, the only language other than English is Spanish. There are a significant number of certified bilingual Spanish speaking employees that allow for prompt service to the client. In cases other LEP cases reviewed, there was no delay in providing interpretive services.
Does the county have a language line provider, a county interpreter list, or any other interpreter process?	X			Yes. Language Line Services (formerly AT&T) and a list of certified Spanish speaking bilingual employees.
Are county interpreters determined to be competent?	X			
Does the county have adequate interpreter services?	X			
Does the county allow minors to be interpreters? If so, under what circumstances?		X		
Does the county allow the client to provide his or her	X			The client can decline the offer of free interpretive services by

Question	Yes	No	Some-times	Comments
own interpreter?				checking the appropriate box on the back of Form 113.
Does the county ensure that the client-provided interpreter understands what is being interpreted for the client?	X			Form 113 has an option to decline interpretive services. Further, form #24 11/02 is also used to explain the possibility of ineffective communication. Through staff interviews, I found that many of the staff did inform clients of this ineffective communication, but not all. If the client wishes to provide their own interpreter, it should be explained to them that a certified bilingual employee can be provided free of charge.
Does the county use the CDSS-translated forms in the clients' primary languages?			X	In almost every case, the forms were sent out in the clients primary language. Form QR 377.4 and Form QR 377.1 were sent out in English when the client's language designation was Spanish.
Is the information that is to be inserted into NOA translated into the client's primary language?			X	Based on the case files reviewed, this was common practice by all workers. There were 2 isolated instances where English was inserted instead of Spanish, the clients designated language.
Does the county provide auxiliary aids and services, TDD's and other effective aids and services for persons with impaired hearing, speech, vision or manual skills, including Braille material, taped text, large print materials (besides the Pub 13)?	X			Generally, county staff stated they would provide their clients with whatever auxiliary aids they needed and would do "whatever it takes" to accommodate their clients. The staff also indicated that someone would be made available to assist the visually impaired client in filling out the forms and any other assistance they needed.
Does the county identify				N/A. The staff interviewed said

Question	Yes	No	Some-times	Comments
and assist the client who has learning disabilities or a client who cannot read or write?				that learning disabilities were determined prior to the cases being assigned to them.
Does the county offer screening for learning disabilities?				Unable to be determined.
Is there an established process for offering screening?				Unable to be determined.
Is the client identified as having a learning disability referred for evaluation?				Unable to be determined.

B. Corrective Actions

Area of Findings	Corrective Actions
Written Materials	Tulare County must use and provide translated forms, to include translated notice of action forms, in the clients' primary languages when translated by CDSS. Div. 21-115.2
Notices of Action	When the county uses translated forms and materials, such as notices of actions that contain spaces in which the county must insert information for the client, such information must be in the primary language of the client. Div. 21-115.2

VI. DOCUMENTATION OF APPLICANT/RECIPIENT CASE RECORDS

Counties are required to ensure that case records document applicant's/recipient's ethnic origin and primary language, the method used to provide bilingual services, information that identifies an applicant/recipient as disabled, and an applicant's/recipient's request for auxiliary aids and services.

A. Findings from Case File Reviews and Staff Interviews

Documented Item	Children's Services	TulareWORKs
Ethnic origin documentation	No form was found in any of the CWS cases.	Form 113; SAWS 1
Primary language documentation	No form was found in any of the CWS cases.	Form 113; SAWS 1
Method of providing bilingual services and documentation	<p>There were many instances throughout the CWS cases reviewed that documented the language spoken and whether or not the worker was certified bilingual in the client's language at the first contact only. Any language accommodation made for the client should be documented at every single contact.</p> <p>Please see comments to the right.</p>	<p>Services appear to be provided, however county bilingual workers are not documenting the case narrative/comments that they speak to Non-English or Limited-English clients in the client's primary language. AT EACH CONTACT, the worker should document.</p> <p>All County Information Notice NO. I-09-06 Section 2, B.</p> <p>How bilingual services are provided. If, for example, a bilingual staff person is used as an interpreter, it must be documented in the file for each occurrence when such interpretation was provided. If an interpreter other than a bilingual staff person is used, this must also be documented. Once the applicant/recipient has requested oral and written communications in a non-English language, the request also applies to subsequent communications as required under MPP Sections 21-115.1 (bilingual</p>

Documented Item	Children's Services	TulareWORKs
		staffing and interpretive services) and 21-115.2 (written translations).
Client provided own interpreter	Form 113; case narratives	Form 113; case narratives
Method to inform client of potential problem using own interpreter	Form #24 (11/02) is used to inform the client of potential "communication problems".	Form 113 has an option to decline services, but does not inform client of potential ineffective communication. Tulare County staff is responsible for informing client of this possibility.
Individual's acceptance or refusal of written material offered in primary language	Form 113	Form 113
Documentation of minor used as interpreter	County did not allow the use of the minors as interpreters	County did not allow the use of the minors as interpreters
Documentation of circumstances for using minor interpreter temporarily	See comments above	See comments above
Method of identifying client's disability	Statement of Facts; Narratives/Case comments	Statement of Facts; Narratives/Case comments
Method of documenting a client's request for auxiliary aids and services	Narratives/Case comments	Narratives/Case comments

B. Corrective Actions

Areas of Action	Corrective Action
Documentation of interpreter signed confidentiality statement	Consent for the release of information shall be obtained from applicants/recipients when individuals other than CWD employees are used as interpreters and the case record shall be so documented. Div. 21-116.24
Documentation of primary language	Each agency shall ensure that case record identification shows the applicant's/recipients' ethnic origin and primary language. Div. 21-201.21
Documentation that bilingual services were provided	Document the method used to provide bilingual services, e.g., assigned worker is bilingual, other bilingual employee acted as interpreter, volunteer interpreter was used, or client provided interpreter. Div. 21-116.22
General	Tulare County must ensure that proper documentation is kept in the file that identifies all the required elements to ensure compliance. Div. 21-116

C. Recommendation

Documentation of interpretive services offered was not evident in the case files reviewed. It is important that documentation occurs at every occurrence. County to county, different processes have been adopted to help alleviate this problem. Some counties audit each other's case files to ensure proper documentation. Perhaps a quality control procedure should be adopted within each office to minimize improper documentation.

VII. STAFF DEVELOPMENT AND TRAINING

Counties are required to provide civil rights and cultural awareness training for all public contact employees, including familiarization with the discrimination complaint process and all other requirements of Division 21. The training should be included in orientation, as well as the continuing training programs.

A. Findings

Interview questions	Yes	No	Some-times	Comments
Do employees receive continued Division 21 Training?	X			Training is provided at least every 12-18 months.
Do employees understand the county policy regarding a client's rights and procedure to file a discrimination complaint?	X			All of the staff interviewed were well aware who the civil rights coordinator was. They were all able to distinguish between a discrimination complaint, a program complaint, and a personnel complaint.
Does the county provide employees Cultural Awareness Training?	X			Training is provided at least every 12-18 months.
Do the CSW's have an understanding of MEPA (Multi-Ethnic Placement Act)?	X			
Do the employees seem knowledgeable about the predominant cultural groups receiving services in their area?	X			

B. Corrective Actions – None**C. Recommendation**

N/A

VIII. DISCRIMINATION COMPLAINT PROCEDURES

Counties are required to maintain a process for addressing all complaints of discrimination. They must track complaints of discrimination through the use of a control log in which all relevant information is kept, including when the complaint was received, the name of the complainant, identifying numbers and programs, basis of discrimination, and resolution. It is usually the Civil Rights Coordinator responsibility to maintain this log.

A. Findings from Staff Interviews and Program Manager Surveys

Interview and review areas	Yes	No	Some-times	Findings
Can the employees easily identify the difference between a program, discrimination, and a personnel complaint?	X			
Did the employees know who the Civil Rights Coordinator is?	X			In almost every instance, that information was given by the staff person interviewed. It did not have to be asked.
Did the employees know the location of the Civil Rights poster showing where the clients can file a discrimination complaint?	X			
When reviewing the complaint log with the Civil Rights Coordinator, was it complete and up to date?	X			

B. Corrective Action -- None

C. Recommendation

N/A

IX. CONCLUSION

Tulare Health & Human Services Agency's was found to be in overall compliance with CDSS Manual of Policies and Procedures (MPP) Division 21 Regulations, and other applicable state and federal civil rights laws. There was exceptional cooperation and coordination provided by the Civil Rights Coordinator and the district staff throughout the review.

Tulare County must remedy the violations identified in this report by taking corrective actions. A corrective action plan must be received by CDSS within 60 days of the date of the cover letter to this report; and the plan must include a schedule by which all actions will be taken to correct the violations.

It is our intent that this report be used to create a positive interaction between the county and CDSS in identifying and correcting compliance violations and to provide the county

with an opportunity to implement corrective action to achieve compliance with Division 21 regulations. Civil Rights staff is available to provide technical assistance as requested.